



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Mailed: November 22, 2004

Paper No.: 112204

In re application of
Donald Gross
U.S. Patent No.6,702,938
Issued: March 9, 2004
Application Number: 10/033,089
Filed: October 25, 2001
For: ODOR REDUCTION SYSTEM FOR WASTE
HOLDING TANKS

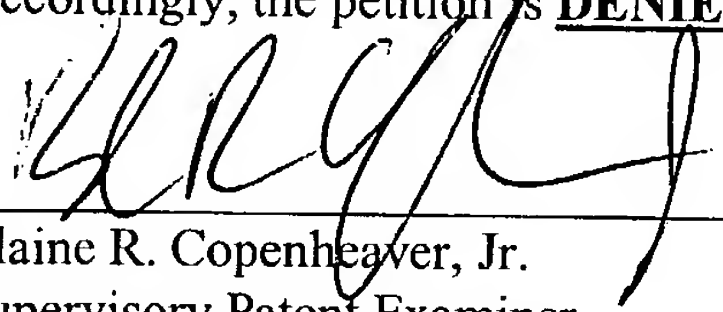
**DECISION ON
PETITION**

This is a decision on the Petition filed on January 29, 2004 to correct inventorship in a patent application under 37 CFR 1.48(a). This Petition requests that a correction to the inventorship under 37 CFR 1.48(a) be made by adding Glen H. Stewart as an inventor. Since this Petition was not acted upon before the pending application became a patent, this Petition is being treated as a Petition filed under 37 CFR 1.324 per MPEP 1481, which states "if a request under 37 CFR 1.48(a), (b), or (c) is filed in a pending application but not acted upon until after the application becomes a patent, the request may be treated as a petition under 37 CFR 1.324."

Decision

A Petition filed under 37 CFR 1.324 must be accompanied by: (1) **Statements from the currently named inventors, including the inventor whose name is being added, agreeing to the change of inventorship and that the error in inventorship occurred without deceptive intent;** (2) A statement from the assignee of the parties submitting statements under (1) above agreeing to the change of inventorship in the patent in compliance with 37 CFR 3.73(b); and (3) the fee set forth in 37 CFR 1.20(b) (emphasis added). Since the Petition does not include a statement for the currently named inventor, this Petition can not be granted as this time.

Accordingly, the petition is **DENIED**.


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